

REMARKS/ARGUMENTS

This paper is filed in response to the Office Action of June 6, 2005, in which the Examiner rejected all pending claims 18-28 and 38-44 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. 2002/0095333 ("**Jokinen**"). The Office Action was received by Applicants after filing a Preliminary Amendment on June 8, 2005.

No claims have been amended or canceled in this Response.

Applicants appreciate the voicemail communication from the Examiner on August 5, 2005, regarding the status of the Preliminary Amendment filed June 8, 2005.

As understood by Applicants, it is necessary for this response to be made to the June 6, 2005, Office Action, in order to have the Declaration under 37 CFR §1.131 (filed with the Preliminary Amendment) be considered.

Applicants believe that Declaration removes **Jokinen** as a reference and, as such, the rejection of the pending claims under 35 U.S.C. 102(e) has been overcome.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



Stephen F. Jewett
Reg. No. 27,565

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
SFJ:bhr
60561729 v1